

## REMARKS

The Examiner is thanked for his courtesy in entering the Amendment filed July 13, 2007.

In paragraph 4 of the Office Action, claims 1-6 and 8-11 were rejected under 35 U.S.C. §103(a) as being unpatentable over Fischer in view of Caputo et al. (Caputo).

Reconsideration is requested.

Claim 1 has been amended to recite that the pattern of selective variable adhesion is in "alternating areas of easy and tight separation strength that extend under the card area defined by the diecut". This amendatory language is supported by the original specification at page 10, lines 5-8 and original claim 2. This amendatory language explicitly points out that the pattern of selectable variable adhesion has surface treatment is applied to some but not all areas of the surface that extends under the card area defined by the diecut.

The Fischer discloses a form having a detachable card element which is held in place with an adhesive which is a part of an adhesive system that transfers the adhesive from the element to which it is applied to the card. Fischer only discloses treating the whole surface under the adhesive because the surface of the element to which the adhesive was originally applied was treated according to col. 3, lines 27-31 of Fischer.

If one were to practice the Fischer method, the peelable adhesive is transferred to the card as the card is removed. This peelable adhesive will cause the removed card to stick to other cards which is a distinct disadvantage of this system.

The claims of the present application, as amended, point out a process for making a business form with a detachable card where the adhesion of the card to the business form is selectively controlled by forming of a pattern of

selective variable adhesion in alternating areas of easy and tight separation. In the method defined by claim 1 of the present application, the pattern is based on a combination of treated and untreated areas that facilitate the removal of the card without the need to use a peelable adhesive because the adhesive properties of the surface have been modified. The selective adhesion imparted by the pattern, as defined in claim 1, is achieved by creating a surface where certain areas have no treatment and thus no enhanced adhesion as well as other areas which are treated to provide sufficient enhanced adhesion so that the card will not fall off the form prior to when it is desired to remove the card from the surface of the form.

Nothing in the Fischer patent suggests that only a part of the surface of the layer to which the card is to be adhered, must be completely treated to improve the adhesive properties. This is necessary in the Fischer because of the use of a peelable adhesive which is to be removed with the card (col. 5, lines 12-15).

The Examiner has cited Caputo as disclosing a resealable label flap where a selected zone of a surface has been "corona treated (differentially treated)". The concept of differential treatment that provides alternating areas of easy and tight separation that extend under a card area defined by a diecut is not disclosed by Caputo. The Caputo patent is directed to the art of resealable label flaps where a pressure sensitive adhesive is placed on the surface of the removable seal so that the removable seal may be repositioned on the surface of the container. Caputo applies an unpatterned corona treatment only in the area that is positioned under the label flap for the purpose of increasing the adhesive anchoring characteristics under the label flap (col. 2, line 5). This area is not formed in a pattern of selective variable adhesion of "alternating easy and tight strength". The Caputo concept is to provide in the corona treated zone, the same level of adhesion, without any pattern, as defined in claim 1 of the present application.

The Caputo patent has no relation to the art of making a card intermediate as it is limited to making resealable bags. This fact points to the inescapable conclusion that one skilled in the art would even consider resealable bags in making a card intermediate.

The amended claim language that points out the alternating *areas* of easy and tight separation that extend under the card area defined by the diecut points out a concept that is not made obvious by Caputo's use of a zone of undifferentiated or non-patterned corona treatment at the point where the resealable flap is to be positioned.

The Declaration Under 37 CFR§1.132 presented test data that compared the use of a patterned corona treatment and a complete corona treatment. This data shows that two different treatments produce surfaces that have different properties. In Fig. 1 of the Declaration, the wave pattern on the curves shows the differential adhesion that is exhibited after a pattern of treatment is used on a surface according to the invention. In Fig. 2 the corona treatment was applied to all the of area of the surface and the resulting adhesion was constant as shown by the substantially straight line. The digital readout of the test data that is set forth in the declaration also show that the adhesion of a pattern that is deliberately applied rather than the "striped" result obtained by Gibbons by using a corona treatment that is applied to all areas is distinctly different. The comparative test data when viewed in conjunction with the amended claim language that has been discussed above, establish that the claims point out novel and unobvious subject matter.

For these reasons, it is requested that this ground of rejection be withdrawn.

An early and favorable action is earnestly solicited.

Respectfully submitted,



James V. Costigan  
Reg. No. 25,669

Hedman & Costigan, P.C.  
1185 Avenue of the Americas  
New York, NY 10036  
(212) 302-8989